

## REMARKS

Claims 1, 2, 4-7 and 15-21 are pending in the application. It is gratefully acknowledged that Claims 4-7 and 17-19 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has maintained his rejection of Claims 1, 20 and 21 under 35 U.S.C. §102(e) as being anticipated by Parsa et al. (U.S. Patent 6,643,318). The Examiner has maintained his rejection of Claims 2, 9, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Parsa et al. in view of Kanterakis et al. (U.S. Patent 6,169,759).

Please amend Claims 1, 15, 20 and 21 as set forth herein. No new matter has been added. Claims 1, 15, 20 and 21 have been amended to more clearly recite that a UTRAN determines the channel assignment signature indicating a CPCH to be assigned to a UE and the corresponding channel information.

Regarding the rejections of independent Claims 1, 20 and 21 under §102(e), the Examiner states that Parsa et al. anticipates each and every feature recited in the claims. Parsa et al. discloses a hybrid DSMA/CDMA (digital sense multiple access/code divisional multiple access) method with a collision resolution for packet communications.

The distinctions between the claims of the present application and Parsa et al. are simple.

First, in Parsa et al., the MSs select the CPCH channels (col. 16, lines 26-27), and the BS makes a determination as to whether the channels, selected by the MSs, are available.

In Claim 1, the UTRAN actually determines which channels are available, and not whether a channel selected by a MS is available or not.

Second, Parsa et al. teaches that its MSs select the CPCH channels (col. 16, lines 26-27), and when two or more MSs select the same channel, the BS selects a MS to assign the channel (col. 16, lines 37-44). The BS does not actually select the channel; the MSs select the channels.

In Claim 1 of the present application, the UTRAN “selects one of a plurality of channel assignment signatures”. In a CDMA communication system a base station is sometimes referred to as the UTRAN.

A system that includes a UTRAN that determines a signature indicating information associated with the CPCH to be assigned to UE, from a plurality of available CHCHs, is distinguishable from Parsa et al., wherein a MS directly selects signature for assigning CPCH.

In the conventional art including Parsa et al., a UE determines the uplink scrambling code and the data rate required when using a CPCH, the channelization code and the data rate for a downlink dedicated channel for CPCH power control, and the number of transmission frames, and then transmits the signature corresponding to the determined information to the UTRAN by using AP. That is, conventionally, the UE determines most of the information needed to allocate the CPCH, so that the UTRAN only provides the function of allowing or not allowing the UE to use the channel requested by the UE. Therefore, even though there exists an available CPCH in the UTRAN, the prior art has problem that the UTRAN cannot allocate the CPCH to the UE. Moreover, when there are many UEs which request the CPCH having the same condition, a collision occurs between the different UEs trying to acquire the CPCH, thus increasing the time required when the UE acquires the channel.

In the claims of the present application, however, a UE only transmits the possible maximum data rate of a CPCH, or the maximum data rate and the number of the data frames to be transmitted, to a UTRAN by using an AP, and then the UTRAN determines, through a channel assignment signature, namely a CA, the additional information for using the CPCH for the downlink dedicated channel. Therefore, in the present invention, it is possible to endow the

UE with the right to use the CPCH, thereby making it possible to efficiently and flexibly allocate the CPCH in the UTRAN.

Regarding the rejection of Claim 20, for at least the reasons that Claim 1 is allowable, Claim 20 should also be allowed. Also, regarding the rejection of Claim 21, for at least the reasons that Claim 1 is allowable, Claim 21 should also be allowed.

Based on at least the foregoing, withdrawal of the rejections of independent Claim 1, 20 and 21 under §102(e) is respectfully requested.

Turning now to the rejections of independent Claim 15 under §103(a), the Examiner states that Parsa et al. in view of Kanterakis et al. renders obvious each and every feature of the claim. Kanterakis et al. discloses a common packet channel. Since Claim 15 recites receiving a selected one of a plurality of channel assignment signatures from the UTRAN, arguments similar to those with respect to Claims 1, 20 and 21, also apply to Claim 15.

Based on at least the foregoing, withdrawal of the rejections of independent Claim 15 under §103(a) is respectfully requested.

Independent Claims 1, 15, 20 and 21 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2 and 16, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2 and 16 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1, 2, 4-7 and 15-21, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant

THE FARRELL LAW FIRM  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
Tel: (516) 228-3565  
Fax: (516) 228-8476

PJF/MJM/fl